

2.10 Actions Related to the Amendment to the Master Agreement with Conger Moss Guillard for the St. James Park Design Project.

Recommendation:

(a) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Fifth Amendment to the Master Agreement with Conger Moss Guillard for St. James Park Design Project (Master Agreement No. 662484-0) to increase the maximum total compensation by \$2,350,000 from \$2,750,000 to \$5,100,000, modify Conger Moss Guillard's current rate schedule effective upon execution of the Fifth Amendment, and extend the contract duration to December 31, 2024.

(b) Adopt the following 2023-2024 Appropriation Ordinance amendments in the Subdivision Park Trust Fund:

(1) Increase the St. James Park Phase I Design appropriation to the Parks, Recreation and Neighborhood Services Department by \$601,000; and

(2) Decrease the St. James Park Phase I Reserve by \$601,000.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. Council District 3.

(Parks, Recreation and Neighborhood Services/City Manager)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

SUBJECT: SEE BELOW

FROM: Jon Cicirelli
Jim Shannon

DATE: December 15, 2023

Approved

Date

12/20/23

COUNCIL DISTRICT: 3

**SUBJECT: ST. JAMES PARK DESIGN –AMENDMENT TO THE
MASTER AGREEMENT WITH CONGER MOSS GUILLARD FOR
DESIGN SERVICES AND ADOPTION OF APPROPRIATION
ORDINANCE AMENDMENTS IN THE SUBDIVISION PARK TRUST
FUND**

RECOMMENDATION

- (a) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Fifth Amendment to the Master Agreement with Conger Moss Guillard for St. James Park Design Project (Master Agreement No. 662484-0) to increase the maximum total compensation by \$2,350,000, from \$2,750,000 to \$5,100,000, modify Conger Moss Guillard's current rate schedule effective upon execution of this Fifth Amendment, and extend the contract duration to December 31, 2024.
- (b) Adopt the following 2023-2024 Appropriation Ordinance amendments in the Subdivision Park Trust Fund:
 - (1) Increase the St. James Park Phase I Design appropriation to the Parks, Recreation and Neighborhood Services Department by \$601,000; and
 - (2) Decrease the St. James Park Phase I Reserve by \$601,000.

SUMMARY AND OUTCOME

St. James Park will be re-imagined through a major reconstruction project. The project has currently completed the 65% design phase and requires an extension of the master agreement to advance the design phase to 90% with the design consultant Conger Moss Guillard (CMG).

CMG has a valuable history with the St. James project. Approval of the fifth amendment to the master agreement will allow for a seamless continuation of the design, as well as the inclusion of a knowledgeable team of subconsultants to guide the design in the varying disciplines.

This memorandum includes actions to allocate additional funding for this project necessary for the City to procure the services and continue the design of the park.

BACKGROUND

St. James Park is a 7.6-acre park located in downtown San José. Historically, the park has been the site of significant events, including speeches from presidential candidates, social gatherings, and civic events. The park's rich history enabled the site to be listed in the National Register of Historic Places as part of the St. James Square National Register Historic District and gain recognition as part of the City of San José's St. James Square Historic District.

From 2015 through 2016, the former Mayor Sam Liccardo and City Council established the St. James Capital Vision project. The project included a design competition through the City procurement process and a competition jury to select a consultant to design a new vision for St. James Park.

In early 2017, CMG was selected by the St. James Park Design Competition Jury as the winning firm. The former Mayor Liccardo and City Council accepted the jury's recommendation and adopted a resolution that authorized the City Manager or designee to put forth \$2.5 million for the environmental review, design, and community outreach processes for St. James Park.

In June 2017, the City executed a master agreement with CMG for the first design phase of St. James Park. CMG's services included project planning and design efforts. The initial two-year agreement with CMG was extended to December 2020. This allowed CMG to provide environmental impact report support services and complete cost estimates and phasing options.

In 2018, CMG completed 25% Construction Documents. In 2023, CMG completed 65% Construction Documents. In 2023, CMG was tasked to provide fee proposal and cost estimates for:

- Preparing 90% Construction Documents; and
- Managing a team of subconsultants who are instrumental in the wide range of design disciplines to provide guidance on the project program and site improvements, as well as coordinate with City staff and various stakeholders.

ANALYSIS

The master agreement with CMG ends on December 31, 2023, and the maximum total compensation for the agreement was reached by Service Order #5. Staff recommends extending the contract with CMG and increasing the amount in the master agreement by \$2,350,000, along with modifying the rate schedule to execute the design for the St. James Park Design project to

move forward in the most cost-effective way. This action would enable the CMG to proceed with the existing design of St. James Park while utilizing its knowledge and history of the project.

After the 90% Construction Documents completion, CMG will provide a fee proposal for the 100% design package. Future amendments will be requested for the 100% design and construction administration support of the St. James Park Project.

This memorandum includes appropriation actions to increase the project budget by \$601,000, with a corresponding decrease to the St. James Park Phase 1 Reserve. This allows for the additional funding that is necessary for the 90% Construction Documents services (\$501,000) from CMG and additional funding for the Public Works Department, which would include funding for coordinating with the stakeholders and reviewing plans set among various divisions (\$100,000).

The St. James Park Design has an allocation of \$1.8 million in the Subdivision Park Trust Fund for St. James Park Design and \$8.5 million allocated in the St. James Park Phase I Reserve. There is sufficient money to fund the fifth amendment and the corresponding City costs.

Funding of \$7.9 million will remain in the St. James Park Phase 1 Reserve. Additional funding will be necessary to complete the design and the construction phases. Currently, the complete redevelopment of this park is estimated to cost \$70 million based on the 65% design estimates. Once the 90% design is complete, staff will develop a phasing plan and can proceed with the 100% design, which would include additional refinement for design and construction documents. A finalized design will allow the project to enter into the first phase of construction, pending available funding.

EVALUATION AND FOLLOW-UP

Staff will provide follow-up on the next steps for this project once the 90% Construction Documents are complete and a phasing plan has been developed.

COST SUMMARY/IMPLICATIONS

AMOUNT OF RECOMMENDATION: \$601,000

SOURCE OF FUNDING: 375 – Subdivision Park Trust Fund

1. TOTAL COST OF AGREEMENT

Contract/Agreement Amount:	\$2,750,000
Recommended Amendment (as included in the memorandum):	<u>\$2,350,000</u>
Revised Contract/Agreement Amount:	\$5,100,000
Total Agreement Budget	\$4,599,000

Remaining Amounts to be Funded:

Contract/Agreement Amount	\$501,000
Public Works Department Soft Costs	<u>\$100,000</u>
Total Additional Funding Needed	\$601,000

BUDGET REFERENCE

The table below identifies the fund for the fifth amendment recommended as part of this memorandum.

Fund #	Appn #	Appn Name	Total Appn	Rec. Budget Action	2023-2024 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
375	404S	St. James Park Phase I Design	\$1,849,000	\$601,000	709	10/17/2023 Ord. No. 30966
375	8507	St. James Park Phase I Reserve	\$8,543,000	(\$601,000)	739	6/20/2023 Ord. No. 30933

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

HONORABLE MAYOR AND CITY COUNCIL

December 15, 2023

Subject: St. James Park Design –Amendment to the Master Agreement with Conger Moss Guillard for Design Services and Adoption of Appropriation Ordinance Amendments in the Subdivision Park Trust Fund
Page 5

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the January 9, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA


Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

JON CICIRELLI
Director, Department of Parks,
Recreation and Neighborhood Services



JIM SHANNON
Budget Director

For questions, please contact Sara Sellers, Division Manager, Parks, Recreation, and Neighborhood Services, at sara.sellers@sanjoseca.gov or (408) 793-5528.